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December 14th, 1959

COCOM Document No. 3710.70/2

COORDINATING COMMITTEERECORD OF DISCUSSIONONITEM 1070 - FORGING HAMMERS

December 10th, 1959

Present: Belgium (Luxembourg), France, Germany, Italy, Japan, Netherlands, United Kingdom, United States.

References: COCOM Documents Nos. 3700.1, .2 and .8, 3710.00/1, 3710.70/1 and W.P.1070/1 and 2.

1. The FRENCH Delegate said that his authorities continued to believe, in view of the situation in the Sino-Soviet Bloc, that such hammers should no longer remain under embargo. To avoid prolonging the discussion they were prepared, however, as a compromise, to join the majority.
2. The UNITED KINGDOM Delegate expressed appreciation of the Committee's acceptance of their deletion proposal as far as concerned sub-items (a) and (b). The United Kingdom authorities still felt that there was no justification for retaining under embargo any parts of the current definition and believed that the coverage of sub-items (a) and (b) of the United States proposal was such as to extend the control to hammers whose export the Committee had never intended to prevent. He cited the case of rivetting hammers used in shipyards, and hammers producing parts for medium Diesel engines to equip buses and other normal commercial transport vehicles. Recognising, however, that in the United States a very high-speed hammer had been developed and put to military use, he suggested that the United States Delegation might be able to work out a different form of words which would embargo only hammers of this type.
3. In the spirit of conciliation, the ITALIAN Delegate expressed the readiness of his authorities to join the majority should they accept the United States proposal.
4. The JAPANESE Delegate said that his authorities had no objection to the United States proposal.
5. The BELGIAN Delegate stated that his authorities would have preferred deletion of the whole item, but would agree to the retention of the current sub-item (d). Should there be a majority in favour of retaining sub-item (c), they would accept that also.
6. The GERMAN and NETHERLANDS Delegates took the same position as the Belgian Delegate.
7. The CHAIRMAN pointed out that in the absence of agreement to delete sub-item (c), it would automatically be retained without change; in any event, part (a) of the United States proposal maintained the identical wording of the current part (c). As to the current part (d), which had become part (b) of the United States proposal save that the words "hydraulically actuated" had been deleted, he asked which version Delegates would prefer.

8. The UNITED KINGDOM Delegate stated that he had no objection to the deletion of the words "hydraulically actuated", but, as the hammer which the United States Delegation had in mind was air operated, they would prefer the text to read:

"(b) Impact hammers, air operated, horizontal, of rated sizes of 10,000 foot-pounds (1,382.55 kg.m.) or more."

In that event, the United Kingdom Delegation could accept retention of this sub-item.

9. The UNITED STATES Delegate expressed the view that in the United States such hammers were operated hydraulically and by air or by steam and that, moreover, there now existed the possibility of having such hammers operated explosively. Reverting to what had been said by the United Kingdom Delegate as to unintended coverage (see paragraph 2 above) the Delegate expressed the view that even the most restrictively-worded definition ran some risk of covering certain things unintentionally; such cases could always be dealt with through recourse to the "Accident of Definition" procedure.

10. The UNITED KINGDOM Delegate suggested that for the time being the current wording of parts (c) and (d) should be retained as (a) and (b), on the understanding that bilateral talks might be held with other interested Delegations in an endeavour to devise improvements.

CONCLUSION: The COMMITTEE agreed that Item 1070 would be redefined as follows:

"Forging hammers as follows:

- (a) Counter-blow hammers of rated sizes of 25,000 kilogram-meters or English equivalent or more;
- (b) Horizontal impact hammers hydraulically actuated, of rated sizes of 10,000 foot pounds (1,382.55 kg.m.) or more."

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